IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WA. No. 586 of 2007

AGAINST THE JUDGEMENT IN WPC.3779/2007 Dated 19/02/2007
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APPELLANT: PETITIONER

BABU JOHN, S/O JOHN, PALATHUMPATTU,
CHENGANNUR.

BY ADV. SRI.P.HARIDAS

RESPONDENTS: RESPONDENTS
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1. ADDITIONAL CHIEF SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT (SPECIAL CELL) SECRETARIAT,
THIRUVANANTHAPURAM.

2. TAHSILDAR,
THIRUVALLA.

BY SPL. GOVT. PLEADER FOR TAXES SRI V.V. ASOKAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN, Ag. C.J. & M.N. KRISHNAN,J.

Writ Appeal No 586 of 2007

Dated: 6 th March 2007

JUDGMENT

Radhakrishnan, Ag. C.J.

Heard counsel on both sides.

2. Counsel for the appellant submitted that appellant has been making payments on the basis of an order passed by the Minister on Ext. P2 representation. While so appellant also filed representation before the Officer and the Officer has passed Ext. P7 order. Considering the facts and circumstances of the case, we are inclined to maintain the order passed by the Minister on Ext. P2 representation rather than Ext. P7 order passed by the officer. The appellant will pay the amount as ordered by the Minister with 6% interest. We make it clear, if the appellant commits default in

payment of the amount as ordered on Ext.P2 by the Minister it is open to the respondents to resort to further proceedings. Judgment of the learned single judge is set aside and the appeal is disposed of with the above direction.

Sd/-
K.S. RADHAKRISHNAN
Ag. Chief Justice

Sd/-
M.N. KRISHNAN
Judge

07/03/2007
en/

[true copy]